



## **H.R. 1525 - Internet Spyware (I-SPY) Prevention Act of 2007**

### **Floor Situation**

H.R. 1525 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Zoe Lofgren (D-CA) on March 14, 2007. The bill was ordered to be reported from the Committee on the Judiciary, by voice vote, on May 2, 2007.

H.R. 1525 is expected to be considered on the floor on May 22, 2007.

*\*Note: This is the same text as the Internet Spyware (I-SPY) Prevention Act of 2005 (H.R. 744), introduced by Rep. Goodlatte (R-VA), which passed the House of Representatives by a recorded vote of 395 - 1 ([Roll no. 200](#)), on May 23, 2005. The Senate received the bill, but took no further action.*

### **Summary**

H.R. 1525 creates federal penalties for the use of spyware in obtaining information relating to national security and obtaining personal information. The bill allows for a fine and up to 5 years of jail time for breaking this law relating to national security matters and up to 2 years of jail time for infractions relating to stealing personal information.

Personal information is defined as:

- A first and last name;
- A home or other physical address, including street name;
- An electronic mail address;
- A Social Security number, taxi identification number, drivers license number, passport number, or any other government-issued identification number, or,
- A credit card or bank account number or any password or access code associated with a credit card or bank account.

The bill authorizes \$10 million to be appropriated to the United States Attorney General for fiscal years 2008 through 2011 for prosecutions needed to discourage the use of spyware.

### **Background**

During the 109<sup>th</sup> Congress, Rep. Bono (R-CA) introduced a similar bill, the Securely Protect Yourself Against Cyber Trespass Act (H.R. 29), which passed the House of Representatives by a recorded vote of 393 - 4 ([Roll no. 201](#)) on May 23, 2005. The Senate received the bill, but took no further action.

Spyware is a computer program that accumulates personal information from a computer. Spyware can be used to obtain personal information such as passwords to bank accounts, and it can record internet site history for targeted advertisements. The spyware collects this information and then transmits it to a remote user.

Unauthorized access to a computer is illegal under computer crime laws, such as the Computer Fraud and Abuse Act, which was signed into law in 1986. The PATRIOT Act increased the scope of computer laws in the United States.

### **Cost**

“Assuming appropriation of the authorized amounts, CBO estimates that implementing the bill would cost \$9 million in 2008 and \$40 million over the 2008-2012 period. CBO expects that enacting the bill would have an insignificant effect on federal revenues and direct spending.

“H.R. 1525 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA), but CBO estimates that any costs to state, local, and tribal governments would be minimal and would not exceed the threshold established in UMRA (\$66 million in 2007, adjusted annually for inflation). The bill contains no new private sector mandates as defined in UMRA.” [Congressional Budget Office Cost Estimate](#)

### **Staff Contact**

For questions or further information contact Chris Vieson at (202) 226-2302.